

Applicant	:	J. Stuart Cumming
Appl. No.	:	09/740,679
Examiner	:	Paul B. Prebelic
Docket No.	:	13533.4033

Remarks

Favorable reconsideration of this application is requested.

The specification and claims have been revised to obviate the Examiner's Section 112 objections, and it is believed that the Examiner will find that all is proper.

Additionally, the independent claims have been amended to more specifically define the haptics as being elongated and rectangular in shape to further distinguish the claims from Reuss. Even so, it is believed that the Examiner's Section 102 rejection on Reuss is improper wherein the Examiner contends that the portions 34 and 36 of the optic 32 are haptics; whereas, they clearly are not and the actual haptics are 42 and 44. It is respectfully submitted that the Examiner mischaracterized the structure of the Reuss lens. Furthermore, the Reuss lens is not an accommodating lens and could not function as such.

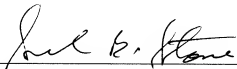
In view of the foregoing and the amendment to the independent claims, favorable reconsideration and a Notice of Allowance are solicited.

Applicant : J. Stuart Cumming
Appl. No. : 09/740,679
Examiner : Paul B. Prebelic
Docket No. : 13533.4033

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,
ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: November 4, 2008

By: 
Samuel B. Stone
Reg. No. 19,297

Orrick, Herrington & Sutcliffe LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710